House Committee on Commerce

Minutes of Meeting 2019 Regular Session April 29, 2019

I. CALL TO ORDER

Representative Thomas G. Carmody, Jr., chairman of the House Committee on Commerce, called the meeting to order at 9:09 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Thomas G. Carmody, Jr., chairman

Representative John F. "Andy" Anders

Representative Chad Brown

Representative Patrick Connick

Representative Jean-Paul P. Coussan

Representative Kenny R. Cox

Representative Stephanie Hilferty

Representative Paul Hollis, vice chairman

Representative Patrick O. Jefferson

Representative Edmond Jordan

Representative Christopher J. Leopold

Representative Rodney Lyons

Representative Wayne McMahen

Representative Stuart Alan Moss

Representative J. Kevin Pearson

Representative Stephen E. Pugh

Representative Polly Thomas

Representative Christopher Turner

MEMBERS ABSENT:

Representative Cedric B. Glover

STAFF MEMBERS PRESENT:

Sandy Painting, secretary Shana Veade, attorney Halie Guidry, legislative analyst

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms Faye Talbot, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 436 by Representative Jay Morris

Representative Jay Morris presented House Bill No. 436, which provides for the installation of telecommunication lines relative to a railroad right-of-way.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 436. Without objection, action on House Bill No. 436 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Coussan, Hollis, Jordan, Lyons, McMahen, Moss, Pugh, Thomas, and Turner voted yea.

House Bill No. 461 by Representative Pylant

Representative Pylant presented House Bill No. 461, which provides for the jurisdiction of the Public Service Commission with respect to electricity cooperatives.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 461. Without objection, action on House Bill No. 461 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Coussan, Hollis, Jordan, Lyons, McMahen, Moss, Pugh, Thomas, and Turner voted yea.

House Bill No. 196 by Representative Falconer

Representative Falconer presented House Bill No. 196, which exempts the Louisiana Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from time limitations for disciplinary proceedings by professional and occupational boards and commissions.

Representative Carmody offered amendments to House Bill No. 196, which would remove the Louisiana Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from the list of professional and occupational boards exempt from the time limits to initiate disciplinary proceedings based on negligence, an intentional act or omission, or a rules violation in present law; would remove the Louisiana Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from the requirement that a licensee be notified within six months of a complaint being filed with a professional or occupational board or commission or be barred from further action on the complaint; and would exempt the Louisiana Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners

from the requirement that when a complaint is filed with an occupational or professional board, a hearing shall be held within six months of the notice of the hearing, barring any interruption by the filing of a motion. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Coussan, Hollis, Jordan, Lyons, McMahen, Moss, Pugh, Thomas, and Turner voted yea.

Mr. Miles Williams, Louisiana Engineering Society, (no address provided), (225) 938-1529, spoke in support of House Bill No. 196.

Representative Carmody offered a motion to report House Bill No. 196 with amendments. Without objection, House Bill No. 196 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Carmody, Anders, Coussan, Cox, Hollis, Jordan, Lyons, McMahen, Moss, Pugh, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 2 for information only. Witness cards are included in the committee records.

House Bill No. 354 by Representative Falconer

Representative Falconer presented House Bill No. 354, which provides with respect to exemptions from licensure requirements in the practice of architecture.

Mr. Buddy Raglin, (no witness card submitted), spoke in support of House Bill No. 354.

Mr. Stephen Maher, AIA, 2987 Government St., Baton Rouge, LA, (225) 773-9722, spoke in support of House Bill No. 354.

Ms. Lisa Nice, AIA, 12032 Bricksome Ave., Baton Rouge, LA, (225) 293-6964, spoke in support of House Bill No. 354.

Mr. Dale Clary, AIA, 1800 City Farm, Bldg. 6, Baton Rouge, LA 70806, (225) 922-5110, spoke in support of House Bill No. 354.

Mr. Eugene Thibodeaux, 220 S. French Quarter Dr., Houma, LA 70364, (901) 497-6420, spoke in support of House Bill No. 354.

Mr. James Guillory, American Institute of Architects, 1845 Leglise St., Mansura, LA 71350, (318) 609-4598, spoke in support of House Bill No. 354.

Mr. Fabian Patin, 104 Randy Circle, Lafayette, LA 70501, (337) 233-4103, spoke in support of House Bill No. 354.

Ms. Doreen Brasseaux, American Council of Engineering Companies, 9643 Brookline Ave., Baton Rouge, LA 70809, (225) 485-9818, spoke in opposition to House Bill No. 354.

Mr. Raymond Redux, ACEC of Louisiana, 103 Thernwood Dr., Lafayette, LA 70503, (337) 237-2220, spoke in opposition to House Bill No. 354.

Mr. Robert Potier, SPEC, LLC, 314 Beverly, Lafayette, LA, (337) 839-9090, spoke in opposition to House Bill No. 354.

Mr. Guy Cormier, Police Jury Association of Louisiana, 707 North 7th St., Baton Rouge, LA 70802, (225) 343-2835, spoke in opposition to House Bill No. 354.

Ms. Karen White, Louisiana Municipal Association, 700 N. 10th St., Baton Rouge, LA 70802, (225) 344-5001, spoke in opposition to House Bill No. 354.

Representative Carmody offered a motion to voluntarily defer action on House Bill No. 354. Without objection, action on House Bill No. 354 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 9 in support, 7 in opposition and 3 for information only. Witness cards are included in the committee records.

House Bill No. 385 by Representative Schexnayder

Representative Schexnayder presented House Bill No. 385, which provides relative to purse distribution.

Mr. Edwin Fenaszi, LA HBPA, 1535 Gentilly Blvd., New Orleans, LA 70119, (504) 945-1535, spoke in support of House Bill No. 385.

Representative Anders offered a motion to report House Bill No. 385 favorably. Without objection, House Bill No. 385 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, Lyons, Moss, Pearson, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 3 by Representative Edmonds

Representative Edmonds presented House Concurrent Resolution No. 3, which amends Department of Economic Development rules relative to local approval for the Industrial Ad Valorem Tax Exemption Program.

Representative Carmody offered technical amendments to House Concurrent Resolution No. 3. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, Leopold, Lyons, Moss, Pearson, Thomas, and Turner voted yea.

Representative Hilferty offered amendments to House Concurrent Resolution No. 3, which would require the local review board to hold a public meeting within the sixty-day notice period during which the board is required to review the application and provide a recommendation. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, McMahen, Thomas, and Turner voted yea.

Mr. Robert Schromm, Louisiana Chemical Association, One American Place, Suite 2040, Baton Rouge, LA 70825, (225) 376-7652, spoke in support of House Concurrent Resolution No. 3.

Mr. Jim Patterson, LABI, P. O. Box 80258, Baton Rouge, LA 70898, spoke in support of House Concurrent Resolution No. 3.

Mr. Matthew Block, Governor's office, Baton Rouge, LA (no address or phone number provided), spoke in opposition to House Concurrent Resolution No. 3.

Mr. Isaac Jackson, Jr., P.O. Box 742, Plaquemine, LA 70765, spoke in opposition to House Concurrent Resolution No. 3.

Mr. Kendall Dix, Healthy Gulf, 1010 Common St., Ste. 902, New Orleans, LA 70112, (816) 590-7452, spoke in opposition to House Concurrent Resolution No. 3.

Mr. Lee Barrios, 178 Abita Oaks Loop, Abita Springs, LA, (985)789-8204, spoke in opposition to House Concurrent Resolution No. 3.

Mr. Jan Moller, Louisiana Budget Project, 619 Jefferson Hwy., Baton Rouge, LA 70806, (225) 819-7715, spoke in opposition to House Concurrent Resolution No. 3.

Mr. Guy Cormier, Police Jury Association of Louisiana, 707 N. 7th St., Baton Rouge, LA 70802, (225) 343-2835, spoke in opposition to House Concurrent Resolution No. 3.

Mr. Claude Tellis, M.D., Together Louisiana, 8317 Lost Oak Dr., Baton Rouge, LA 70817, (225) 752-5648, spoke in opposition to House Concurrent Resolution No. 3.

Mr. Bobby Edwards, Together Louisiana, 3825 Fernwood Lane, Shreveport, LA 71108, (318) 518-4187, spoke in opposition to House Concurrent Resolution No. 3.

Mr. Edgar Cage, Together Louisiana, 4302 Melban St., Baker, LA 70714, (225) 276-5808, spoke in opposition to House Concurrent Resolution No. 3.

Representative Coussan offered a motion to report House Concurrent Resolution No. 3 with amendments, to which Representative Jordan objected. The secretary called the roll, and House Concurrent Resolution No. 3 was reported with amendments by a vote of 8 yeas and 7 nays. Representatives Carmody, Coussan, Hilferty, Hollis, Leopold, Pearson, Thomas, and Turner voted yea. Representatives Anders, Connick, Cox, Jordan, Lyons, McMahen, and Moss voted nay.

Witness cards submitted by individuals who did not speak are as follows: 8 in support, 21 in opposition and 1 for information only. Witness cards are included in the committee records.

House Bill No. 299 by Representative Carmody

Representative Carmody presented House Bill No. 299, which provides relative to approval of certain continuing legal education courses by the Louisiana Real Estate Commission.

Representative Hollis offered amendments to House Bill No. 299, which would qualify that in order to be exempt, live courses offered once a year for a conference, meeting, forum, or similar event shall be held or sponsored by a state or local real estate trade association or any affiliated institute, society, or council; would require that for courses offered to obtain certifications or designations awarded by the National Association of Realtors, the vendor shall submit either the course materials, course syllabus, or both on initial application and submit a brief summary of the course content upon application for renewal; would require that for exempt courses offered at a conference, meeting, or forum by a trade association or its affiliate, the vendor shall submit either the course content or a brief summary of the course content; would allow any state department, office, board, or commission to offer a course for continuing education without being licensed as a real estate education vendor; would provide that when a state department, office, board, or commission does seek to offer a continuing education course, the entity shall submit the course for approval but is exempt from course and instructor approval requirements in the Louisiana Administrative Code or prescribed by the commission; and would make technical changes. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Ms. Kim Callaway, Louisiana Realtors, 821 Main St., Baton Rouge, LA 70802, (225) 923-2210, spoke in support of House Bill No. 299.

Mr. Norman Morris, Louisiana Realtors, 821 Main St., Baton Rouge, LA 70802, (225) 923-2210, spoke in support of House Bill No. 299.

Representative Moss offered a motion to report House Bill No. 299 with amendments. Without objection, House Bill No. 299 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 1 for information only. Witness cards are included in the committee records.

House Bill No. 503 by Representative Edmonds

Representative Edmonds presented House Bill No. 503, which provides relative to licensing qualifications.

Representative Carmody offered technical amendments to House Bill No. 503. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Representative Carmody offered amendments to House Bill No. 503, which would reorganize and rewrite the legislative findings and exclude the Louisiana Real Estate Appraisers Board, the Louisiana Real Estate Commission, the Louisiana Supreme Court, and the State Board of Certified Public Accountants of Louisiana from the provisions of proposed law. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Connick, Coussan, Cox, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Mr. Bruce Unangst, Louisiana Real Estate Commission, 9071 Interline, Baton Rouge, LA 70809, Baton Rouge, LA 70809, (225) 925-1923, spoke for information only.

Representative Jordan offered a motion to report House Bill No. 503 with amendments. Without objection, House Bill No. 503 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Carmody, Connick, Coussan, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

House Bill No. 426 by Representative Hilferty

Representative Hilferty presented House Bill No. 426, which provides with respect to insurance coverage in condominium units.

Representative Coussan offered a motion to report House Bill No. 426 favorably. Without objection, House Bill No. 426 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Carmody, Connick, Coussan, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 528 by Representative Jordan

Representative Jordan presented House Bill No. 528, which provides relative to consumer credit loans and transactions.

Representative Carmody offered a technical amendment to House Bill No. 528. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Carmody, Connick, Coussan, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Representative Carmody offered amendments to House Bill No. 528, which would change the amount of a consumer loan from \$350 to \$500. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carmody, Coussan, Hilferty, Hollis, Jordan, Leopold, Lyons, McMahen, Moss, and Turner voted yea.

Ms. Stacey Roussel, Louisiana Budget Project, 619 Jefferson Hwy., Baton Rouge, LA, (813) 727-2360, spoke in support of House Bill No. 528.

Mr. Jules Epstein-Hebert, Inclusiv CU Network, 39 Broadway, New York, NY, (646) 367-3187, spoke in support of House Bill No. 528.

Mr. Richard Williams, Essential Federal Credit Union, 2370 Town Center Blvd., Baton Rouge, LA, (225) 379-5150, spoke in support of House Bill No. 528.

Ms. Judy DeLucce, New Orleans Firemen's Federal Credit Union, 4401 N. Napoleon Ave., Metairie, LA 70001, (504) 889-9074, spoke in support of House Bill No. 528.

Dr. Nicholas Mitchell, Ph. D., Jesuit Social Research Institute, 6363 St. Charles Ave., Box 94, New Orleans, LA 70118, (504) 864-7750, spoke in support of House Bill No. 528.

Mr. Edgar Cage, Together Louisiana, 4302 Melban St., Baker, LA 70714, (225) 278-5808, spoke in support of House Bill No. 528.

Ms. Meredith Harris, Check Into Cash, 201 Keith St., Cleveland, TN 37311, (423) 716-0647, spoke in opposition to House Bill No. 528.

Mr. Jesse McCormick, Capitol Partners, Check Into Cash, 532 Spanish Town Rd., Baton Rouge, LA 70820, spoke in opposition to House Bill No. 528.

Representative Jordan offered a motion to report House Bill No. 528 with amendments, to which Representative Pearson objected. The secretary called the roll, and the motion failed to pass by a vote of 2 yeas and 11 nays. Representatives Cox and Jordan voted yea. Representatives Carmody, Anders, Connick, Coussan, Hilferty, Hollis, Leopold, McMahen, Moss, Pearson, and Turner voted nay.

Witness cards submitted by individuals who did not speak are as follows: 21 in support, 7 in opposition and 2 for information only. Witness cards are included in the committee records.

The meeting recessed at 2:55 p.m. and the committee reconvened at 6:32 p.m.

House Bill No. 233 by Representative Wright

Representative Wright presented House Bill No. 233, which provides relative to the types of payments accepted by secondhand dealers.

Representative Carmody offered a substitute bill to House Bill No. 233. Without objection, the substitute bill was adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hilferty, Hollis, Leopold, Lyons, McMahen, Moss, Pearson, Thomas, and Turner voted yea.

Mr. Thad Ackel, Jr., 321 N. Florida St., Covington, LA 70433, (504) 352-4401, spoke in support of House Bill No. 233.

Representative Hollis offered a motion to report House Bill No. 233 by substitute. Without objection, House Bill No. 233 was reported by substitute by a vote of 18 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in opposition. Witness cards are included in the committee records.

House Bill No. 353 by Representative Emerson

Representative Emerson presented House Bill No. 353, which provides with respect to real estate licensing renewal time periods.

Representative Carmody offered a technical amendment to House Bill No. 353. Without objection, the amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Mr. Bruce Unangst, Louisiana Real Estate Commission, 9071 Interline, Baton Rouge, LA 70809, (225) 925-1923, spoke for information only.

Ms. Kim Callaway, Louisiana Realtors, 821 Main St., Baton Rouge, LA 70802, (225) 923-2210, spoke in support of House Bill No. 353.

Mr. Brent Lancaster, Bob Brooks School, 3931 S. Sherwood Forest Blvd., Baton Rouge, LA, (225) 752-2920, spoke for information only.

Representative Jefferson offered a motion to report House Bill No. 353 with amendments, to which Representative Lyons objected. No vote was taken on this motion.

Representative Lyons offered a substitute motion to involuntarily defer action on House Bill No. 353, to which Representative Coussan objected. The secretary called the roll, and the motion failed to pass by a vote of 9 yeas and 9 nays. Representatives Carmody, Chad Brown, Cox, Hilferty, Hollis, Jordan, Lyons, Pugh, and Thomas voted yea. Representatives Anders, Connick, Coussan, Jefferson, Leopold, McMahen, Moss, Pearson, and Turner voted nay.

Representative Coussan offered a motion to report House Bill No. 353 with amendments, to which Representative Lyons objected. The secretary called the roll, and the motion failed to pass by a vote of 8 yeas and 10 nays. Representatives Anders, Coussan, Cox, Jefferson, Leopold, McMahen, Moss, and Turner voted yea. Representatives Carmody, Chad Brown, Connick, Hilferty, Hollis, Jordan, Lyons, Pearson, Pugh, and Thomas voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

House Bill No. 463 by Representative Bagneris

Representative Bagneris presented House Bill No. 463, which provides relative to the definition of "qualified event" or "qualified major event" as used in the Major Events Incentive Program.

Representative Carmody offered amendments to House Bill No. 463, which would add a National Football League Draft and any National Collegiate Athletic Association conference media event, including conference media days to the definition of a qualified event or qualified major event. Without objection, the amendments were adopted by a vote of 18 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, McMahen, Moss, Pearson, Pugh, Thomas, and Turner voted yea.

Mr. Christian Rhodes, New Orleans & Co., Super Bowl, 8440 Jefferson Hwy., Baton Rouge, LA, (225) 802-7567, spoke in support of House Bill No. 463.

Representative Chad Brown offered a motion to report House Bill No. 463 with amendments. Without objection, House Bill No. 463 was reported with amendments by a vote of 17 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hilferty, Hollis, Jefferson, Jordan, Leopold, Lyons, McMahen, Pearson, Pugh, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 593 by Representative Cox

Representative Cox presented House Bill No. 593, which provides relative to the Louisiana Real Estate Appraisers Board's authorization to collect assessments.

Representative Cox offered a motion to report House Bill No. 593 favorably. Without objection, House Bill No. 593 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hollis, Jefferson, Jordan, Leopold, Lyons, McMahen, Pugh, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

House Bill No. 322 by Representative Turner

Representative Turner presented House Bill No. 322, which provides for the inspection and investigation of premisses by a fire prevention bureau.

Representative Hollis offered a technical amendment to House Bill No. 322. Without objection, the amendment was adopted by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hollis, Jefferson, Jordan, Leopold, Lyons, McMahen, Pugh, Thomas, and Turner voted yea.

Mr. Butch Browning, State Fire Marshal, 8181 Independence Blvd., Baton Rouge, LA 70806, (225) 806-0803, spoke for information only.

Representative Pugh offered a motion to report House Bill No. 322 with amendments. Without objection, House Bill No. 322 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Carmody, Anders, Chad Brown, Connick, Coussan, Cox, Hollis, Jefferson, Jordan, Leopold, Lyons, McMahen, Pugh, Thomas, and Turner voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 7:56 p.m.

Respectfully submitted,

Chairman Thomas G. Carmody, Jr. House Committee on Commerce